

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|--------------------------|
| UNITED STATES DEPARTMENT OF |) | |
| TRANSPORTATION, ex rel. |) | |
| AUGUST W. ARNOLD, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | Civil Action No. 03-1580 |
| v. |) | |
| |) | |
| CMC ENGINEERING, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

Before the court are a large number of motions from both plaintiffs and defendants arising from discovery disputes in the present matter. The parties are directed to the case management order included in this case [Doc. No. 258], which provides that:

In accordance with Local Rule 7.1.C., in the event a dispute arises over a discovery request, all counsel are required to confer in good faith in an effort to resolve the issue without court intervention. It shall be the obligation of the attorney for the party seeking court intervention to initiate such conferences and to do so promptly. Refusal to confer in good faith may subject counsel to sanctions, such as the imposition of costs, including the attorney's fees of opposing counsel, under Fed.R.Civ.P. 37(a)(4).

In the event, however, that the parties to this action are unable to informally resolve a discovery dispute and court intervention is sought, the movant shall file a Motion to Compel Discovery (or Protective Order if

such is the case). Attached to the Motion shall be a proposed Order of Court in which the moving party shall set forth, in specific detail, its proposal for completely resolving the discovery dispute. Within five (5) working days after receipt of the motion, the respondent, either singularly or in conjunction, shall file a written response. Attached to the response shall be respondent's proposed Order of Court.

Accordingly, IT IS HEREBY ORDERED that the parties in this case, either individually or in concert, shall file within 14 days a proposed order which resolves all of the pending discovery disputes.

The court will sign, without modification, the one proposed Order of Court which, in the judgment of the court, is the most reasonable under the circumstances.

BY THE COURT:

G. H. Hunt, C.J.
4/27/11

cc: All Counsel of Record